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PLAINTIFFS

DEFENDANTS

PHILLIPS MACHINERY COMPANY, INC. YARD-MAN, INC.

CAUSE

Cause of action based upon breach of an exclusive distribution Contract wrongfully breached by the defendant after goods and merchandise had been sold to third parties.

ATTORNEYS

H. Richard Raskin Suite 1201, Mid-Cont. Bldg. Tulsa 74103 (583-4121) and Rosenstein, Fist & Ringold Suite 300, 525 South Main Tulsa 74103 (585-9211)

R. Thomas Seymour DOERNER, STUART, SAUNDERS, DANIEL & LANGENKAMP 1200 Atlas Life Building Tulsa, Oklahoma 74103

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DATE	NR.	PROCEEDINGS
9-5-75	1.	Complaint, filed. Summons issued. rm
9-11-75		Summons returned & executed on Secretary of State, State of Okla. Okla. City, served on 9-8-75 W/fees of \$4.72, filed. mm of deft.
9-25-75	2.	Application/for Extension of Time to file answer, filed. lm
9-25-75	3 .	ORDER granting ext. of time to 10-14-75, filed. (JCS-Clk)
10-15-7	54.	Appl. of Deft. for Ext. of Time to file Ans., filed.jj O to J
10-17-75	5.	Order, filed, granting deft. Yard-Man, Incorporated until 10-24-75 to ans. (AEB-J)k
10-24	6.	ANSWER of Deft., Yard-Man, Inc., filed.jj
10-31-75	7.	Pltf's first set of interrogatories, filed. b
12-18 1976		Deposition of Howard Raskin taken before Frank Peterson on 11-19-75 w/fees of \$99.00, filed. v
		Parties are directed to hold PT conf. on or before 3-5-76 & file PT Order on or before 3-12-76. (AEB-J)ph cps by cert ml
1-30 2-6 2-13	9.	Deft's request for admission, filed. ph Answers to interrogatories by def., filed. rm Def. interrogatories, filed. rm
2 - 26 2 - 26		. Pltf's Response to deft's request for admission, filed. lm . Pltf's first request for admission, filed. lm
2 - 27	13	Pltf's answers to deft's interrogatories, filed.k
3-4 3-8	14.	Joint appli. for ext. of time to file PT Order w/Order (to J)lm Order, filed, granting parties until 4-15-76 to file pretrial Order. (AEB-J)g cp mld
3-24	15.	Deft's Ans. to Pltf's 1st Request for Admissions, filed.jj
3-24	16.	Pltf's 2nd Set of Interrogatories, filed.jj
3-24	i	Pltf's 2nd Request for Admissions, filed.jj
3-30 3-30	1	Deft's brief in support of motion to dismiss, filed. ph
3-31	MO:	It is ordered by the Court that the Plaintiff file a responsive brief within 10 days to the deft's motion to dismiss.(AEB-J)ph cps m
4-12	20.	Brief in opposition to Deft.'s Mot. to Dismiss, fld. v
4-12	МО	Case referred to Mag. Morris L. Bradford for F&R re deft's mot. to dismiss and pltf's response thereto. (AEB-J)k
4-16	МО	Case set for hrg. on deft's mot. to dismiss before Mag. on 5-13-76 at 11:00 a.m. (MLB-Mag)k ntc by KT
4-28	1	Deft.'s Answer to Pltf.'s Second Request for Admissions, fld. v
4-29 4-29		Motion for Summary Judgment of DEFT., filed.t Brf. in Support of Deft's Mot. for S/J., filed.t
	1	It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to Deft's. Mot. for S/J. (AEB-J)t
5-10	24	Joint Appl. for Ext. of Time to File Answer Brf., filed 0-J t
		CONTINUED

DEFENDANT

PLAINTIFF

Phillips Machinery Co., Inc. Yard-Man, Inc. Yard-Man	PLAINTIFF			DEFENDANT	DOCKET NO. 75-C-404
5-13 MO Case called for hrg. before Mag. on deft's mot. to dismiss. Partic present. Mag. finds mot. should be denied. Pltf. counsel to prepare FAR and proposed Order w/in 5 days. (MLB-Mag)k 5-17 25 Pretrial Order, filed. (AEB-J)t cpy to Mann & Seymour 5-18 27. Pretrial order, filed. (AEB-J)t cpy to Mann & Seymour 5-18 27. Findings and Recommendations of Mag., filed. (MLB-Mag)k cps mld 5-19 28. Pltf's brief in opposition to deft's mot. for S/J, filed.k Depositions of Robert D. Horn, Sally Lewis and Dale Lewis on behalf of Plaintiff, taken before Licensed Shorthand Reporter Ann Hart, 4-1-76, filed. s 6-1 29 Order, filed, that Deft's. motion to dismiss is overruled. (AEB-J)s cps. mld. 6-10 30 Supplemental brief in support of defendant's motion for summary judgment, filed.s 9-28 MC Case set for hearing before Magistrate on Deft's Mot for S/J on 10-14-76 at 11:00 A.M. (MLB-Mag)s nto by KT Case called for hearing on Deft's motion for S/J before Mag. Bradford. Parties represented. Deft's motion is overruled & Pltf to file F&R in 10 days & prepare order. (MLB-Mag) b 10-18 31 Deft's intervogatories, filed. g 11-1 32. Findings & Recommendations of the Magistrate, filed. Recommends the mot. for S/J be overruled. (MLB-Mag)k cps mld 11-10 31 Pltf's answers to deft's interrogs., filed. (AEB-J) nb 11-2-2 35. Defts. Motion for Summary Judgment, filed. (AEB-J) nb 11-2-2 36. Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb 11-2-2 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 11-2-2 38. Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb 11-2-3 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-2-2 38. Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb 12-2-3 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-2-4 38. Pltf's application for ext. of time to file ans., filed. Set pending disposition of deft's mot. for S/J filed.s 0 to J 1-2-4 39. Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld 1-2-6 40. Pltf's supplemental brief in suppo	Phill:	ips M	achinery Co., Inc.	Yard-Man, Inc.	PAGE 3 OF 2 NACHEX
S-13	1 975	NR.		PROCEEDINGS	
5-17 26 Order, filed, granting Pltf. until 5-17-76, to file Answer brief to Deft's motion for summary judgment. (AEB-J)b cps mld 5-18 27. Pltf's brief in opposition to deft's mot. for S/J, filed.k Depositions of Robert D. Horn, Sally Lewis and Dale Lewis on behalf of Plaintiff, taken before Licensed Shorthand Reporter Ann Hart, 4-1-76, filed.s Order, filed, that Deft's. motion to dismiss is overruled. (AEB-J)s cps. mld. Supplemental brief in support of defendant's motion for summary judgment, filed.s Case set for hearing before Magistrate on Deft's Mot for S/J on 10-14-76 at 11:00 A.M. (MLB-Mag)s nto by KT Case called for hearing on Deft's motion for S/J before Mag. Bradford. Parties represented. Deft's motion is overruled & Pltf to file F&R in 10 days & prepare order. (MLB-Mag) b Deft's interwogatories, filed. g Findings & Recommendations of the Magistrate, filed. Recommends the mot. for S/J be overruled. (MLB-Mag)k cps mld 11-10 33. Pltf's answers to deft's interrogs., filed.s 11-11 34. Order, filed, that Mot. of Deft. for S/J is overruled.s (AEB-J) cps. mld. 12-26 MO: Case set for jury trial on 1-10-77, at 9:30 A.M. (AEB-J)b nts by cert ml w/affid. 12-22 35. Defts. Motion for Summary Judgment, filed. (AEB-J) nb 12-22 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-22 38. Defts. Motion for Summary Judgment, file a responsive brief within ten days to Deft's. Motion for S/J, filed. (AEB-J) nb 12-23 36. Pltf's application for ext. of time to file ans., filed. 0 to J 38. Pltf's application for ext. of time to file ans., filed.s 0 to J 39. Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld 1-27 40. Pltf's brf. in opposition to deft's mot. for S/J, filed.s Poft's supplemental brief in support of mot. for S/J, filed.s Case referred to Magistrate Robert S. Rizley for Findings and Recommendations of the motion for support of mot. for S/J, filed.s		MO	present. Mag. find	ls mot. should be denied. Pltf	
brief to Deft's motion for summary judgment. (AEB-J)b cps mld Findings and Recommendations of Mag., filed. (MLB-Mag)k cps mld Plif's brief in opposition to deft's mot. for S/J, filed.k Depositions of Robert D. Horn, Sally Lewis and Dale Lewis on behalf of Plaintiff, taken before Licensed Shorthand Reporter Ann Hart, 4-1-76, filed, s Order, filed, s Order, filed, show that Deft's motion to dismiss is overruled. (AEB-J)s cps. mld. Supplemental brief in support of defendant's motion for summary judgment, filed.s 9-28 MO Case set for hearing before Magistrate on Deft's Mot for S/J on 10-14-76 at 11:00 A.M. (MLB-Mag)s nto by KT Case called for hearing on Deft's motion for S/J before Mag. Bradford. Parties represented. Deft's motion is overruled & Pltf to file F&R in 10 days & prepare order. (MLB-Mag) b Deft's intervogatories, filed. g 11-13 32. Findings & Recommendations of the Magistrate, filed. Recommends the mot. for S/J be overruled. (MLB-Mag)k cps mld 11-10 34. Order, filed, that Mot. of Deft. for S/J is overruled.s (AEB-J) ops. mld. 12-20 35. Defts. Motion for Summary Judgment, filed. (AEB-J) nb Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J. (AEB-J) nb Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb Deft's supplemental brief in support of mot. for S/J, filed.s Deft's supplemental brief in support of mot. for S/J, filed.s Deft's supplemental brief in support of mot. for S/J, filed.s Deft's supplemental brief in support of mot. for S/J, filed.s Deft's supplemental brief in support of mot. for S/J, filed.s	5 - 17	25	Pretrial Order, fil	ed.(AEB-J)t cpy to Mann & Seym	our
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on 10-14-76 at 11:00 A.M. (MIB-Mag)s ntc by KT Case called for hearing on Deft's motion for S/J before Mag. Bradford. Parties represented. Deft's motion is overruled & Pltf to file F&R in 10 days & prepare order. (MLB-Mag) b 10-18 31 Deft's interwogatories, filed. g 11-11 32. Findings & Recommendations of the Magistrate, filed. Recommends the mot. for S/J be overruled. (MLB-Mag)k cps mld 11-10 33. Pltf's answers to deft's interwogs., filed.s 11-11 34. Order, filed, that Mot. of Deft. for S/J is overruled.s (AEB-J) cps. mld. 12-6 MO: Case set for jury trial on 1-10-77, at 9:30 A.M. (AEB-J)b nts by cert ml w/affid. 12-22 35. Defts. Motion for Summary Judgment, filed. (AEB-J) nb 12-22 36. Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb 12-22 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-22 1977 1-5 MO: It is ordered by the Court that the Pltf. file a responsive brief within ten days to Deft's. Motion for S/J. (AEB-J) nb 11-12 38. Pltf's application for ext. of time to file ans., filed.s 0 to J 1-14 39. Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld 1-27 40. Pltf's brf. in opposition to deft's mot. for S/J, filed.s 41. Deft's supplemental brief in support of mot. for S/J, filed.s 5-11 MO: Case referred to Magistrate Robert S. Rizley for Findings and Recommendations of the support of mot. for S/J, filed.s	6-10	30		in support of defendant's moti	on for summary
10-18 31 Deft's intervogatories, filed. g 11-1 32. Findings & Recommendations of the Magistrate, filed. Recommends the mot. for S/J be overruled. (MLB-Mag)k cps mld 11-10 33. Pltf's answers to deft's interrogs., filed.s 11-11 34. Order, filed, that Mot. of Deft. for S/J is overruled.s (AEB-J) cps. mld. 12-6 MO: Case set for jury trial on 1-10-77, at 9:30 A.M. (AEB-J)b nts by cert ml w/affid. 12-22 35. Defts. Motion for Summary Judgment, filed. (AEB-J) nb 12-22 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-22 MO: It is ordered by the Court that the Pltf. file a responsive brief within ten days to Deft's. Motion for S/J. (AEB-J) nb 11-12 38. Pltf's application for ext. of time to file ans., filed.s 0 to J 1-14 39. Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld 1-27 40. Pltf's brf. in opposition to deft's mot. for S/J, filed.s 5-11 MO: Case referred to Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Findings and Recommendations of the Magistrate Robert S. Rizley for Fin	-	MO	on 10-14-76 at 11:0 Case called for hearing	00 A.M. (MLB-Mag)s ntc by KT on Deft's motion for S/J before Mag.	Bradford
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12-6 12-22 13-5 12-22 13-6 12-22 13-6 12-22 13-7 13-7 1-5 MO: Case set for jury trial on 1-10-77, at 9:30 A.M.(AEB-J)b nts by cert ml w/affid. 12-22 13-7 1-5 MO: Defts. Motion for Summary Judgment, filed. (AEB-J) nb 12-22 1977 1-5 MO: It is ordered by the Court that the Pltf. file a responsive brief within ten days to Deft's. Motion for S/J. (AEB-J) nb 12-23 13-24 13-25 13-2	11-11	34.		Mot. of Deft. for S/J is overr	ruled.s (AEB-J)
12-22 36. Defts. Brief in Support of Motion for S/J, filed. (AEB-J) nb 12-22 37. Affidavit of T.G. Friss, filed. (AEB-J) nb 12-22 MO: It is ordered by the Court that the Pltf. file a responsive brief within ten days to Deft's. Motion for S/J. (AEB-J) nb MO: It is ordered that this case is stricken from the 1-10-77 jury docket pending disposition of deft's mot. for S/J filed 12-22-76. (AEB-J)k cps mld 1-12 38. Pltf's application for ext. of time to file ans., filed.s 0 to J 1-14 39. Order, filed, granting pltf. til 1-27-77 to respond to deft's mot. for S/J. (AEB-J)k cps mld 1-27 40. Pltf's brf. in opposition to deft's mot. for S/J, filed.s 2-8 41. Deft's supplemental brief in support of mot. for S/J, filed.s 5-11 MO: Case referred to Magistrate Robert S. Rizley for Findings and Recommendations of	12-6	MO:		on 1-10-77, at 9:30 A.M.(AEB-J)b nts	s by cert ml w/affid.
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5-11 MO: Case referred to Magistrate Robert S. Rizley for Findings and Recommendations of	1-27	40.	Pltf's brf. in oppo	sition to deft's mot. for S/J,	filed.s
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all motions. (AEB-J) njp	5-11	MO:	Case referred to Magis all motions. (AEB-J		and Recommendations on
DC-111A (Rev. 1/75					DC-111A (Rev. 1/75)

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			DOCKET NO.
			PAGE OF PAGES
DATE	NR.	PROC	REEDINGS
5-27	MO	Case set hearing on Defts. mot. f 10:30 A.M. (RSR-MAG) not. mld. ho	or S/J before Mag. on 6-10-77 at
6-10	Min		otion for S/J. Parties represented. Mag. to prepare findings and recom-
9-20	МО		for S/J be sustained. Deft. counsel Mag. w/in 10 days. (RSR-Mag)k cps
9-27	42		ld., Mag. recommends that the Defts.
10-11		Order, filed and entered, that de (AEB-J)k cps mld	